

Michigan School Shooting Lawsuit Twist: Judge Dismisses Staff as Defendants



On March 4, 2022, a Michigan judge dismissed Oxford Community Schools and its employees as defendants in two wrongful death lawsuits filed after a mass shooting at Oxford High School on November 30, 2021. The shooting resulted in the deaths of four students and injuries to six other students and a teacher. The shooter, Ethan Crumbley, armed with a semi-automatic pistol, pleaded guilty to murder charges. His parents, James and Jennifer Crumbley, have been charged with involuntary manslaughter concerning the shooting.

The wrongful death lawsuits were filed against the school district, staff, and the shooter's parents. The lawsuits accuse teachers, counselors, and administrators of the Oxford school district of failing to appropriately respond to warning signs in the shooter's conduct the day before and on the day of the violence. The lawsuits also allege that the shooter's parents negligently provided him with a firearm despite signs that he was emotionally disturbed.

However, Judge Mary Ellen Brennan ruled that the school district and its employees were shielded from civil litigation by state law under the doctrine of governmental immunity. The judge explained that school districts could not be sued over "the exercise or discharge of a governmental function." None of the exceptions recognized under statutes or case law apply in this case. The judge also held that Ethan Crumbley's act of firing the gun, rather than the alleged conduct of the individual Oxford defendants, was the proximate cause of injuries.

The remaining defendants in the civil lawsuits are Ethan Crumbley and his parents, James and Jennifer Crumbley. The parents were immediately summoned to the school on the morning of the shooting after a teacher discovered a drawing by the shooter depicting a handgun, a bullet, and a bleeding figure with the words "Blood everywhere" and "The thoughts won't stop - help me." The parents were urged to enter their son into counseling within 48 hours but resisted taking him home from school. Nobody searched the shooter's backpack, where the gun was concealed or asked him about a weapon. Instead, he was returned to class and emerged from a bathroom a short time later to go on his rampage.

Ven Johnson, a lawyer for one group of plaintiffs, vowed to appeal the ruling and urged Michigan legislators to amend state law, calling governmental immunity "wrong and unconstitutional." Johnson stated that at least half a dozen similar cases related to the shooting are pending in federal court. However, none of the defendants in those complaints has been dismissed on the grounds of immunity.

In conclusion, the Michigan judge dismissed Oxford Community Schools and its employees as defendants in two wrongful death lawsuits related to the Oxford High School shooting. The judge ruled that school districts are shielded from civil litigation by state law under the doctrine of governmental immunity. The remaining defendants in the civil lawsuits are the shooter, Ethan Crumbley, and his parents, James and Jennifer Crumbley.